

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)
)
)
) Criminal No. 04-36 Erie
)
)
v.)
)
MAURICE FRANCIS FOLEY and)
JOHN KIRKPATRICK, et al.)

**ORDER OF CRIMINAL FORFEITURE AGAINST
MAURICE FRANCIS FOLEY AND JOHN KIRKPATRICK**

AND NOW, this _____ day of _____, 2005, it is hereby ORDERED, ADJUDGED
and DECREED that:

1. All right, title and interest of Maurice Francis Foley (Foley) and John Kirkpatrick, a/k/a John F. Kirkpatrick (Kirkpatrick), in the following property (the Subject Property) is forfeited to the United States for disposition in accordance with federal law pursuant to 21 U.S.C. § 853(a)(1):

- (a) \$215,031.35 in United States currency;
- (b) real property known as 19845 Hill Road, Hayfield Township, Crawford County, Pennsylvania, SW Intersection of 735 & 606, Assessor's Parcel # 28-05-008-70003, as more fully described in the Deed recorded on August 19, 1997 in the Recorder of Deeds Office of Crawford County, Pennsylvania in Deed Book Volume 354, Page 236;
- (c) the vehicles, 2003 Chevrolet Silverado, VIN 1GCJK331X3F134794; Dodge Ram Truck, VIN 1B7KF23W91J175474; and 1991 BMW, VIN WBAAA1311MEC69886;
- (d) a coin collection.

2. The United States shall forthwith give notice to any person or entity having or claiming a legal interest in the Subject Property and shall forthwith publish such notice one time in a newspaper of general circulation. The notice shall include notice of the United States Marshals Service's intent to dispose of the Subject Property in such manner as the Attorney General may direct and notice that any person, other than Foley and Kirkpatrick, having or claiming a legal interest in the Subject Property, must file a petition with the United States District Court for the Western District of Pennsylvania at Criminal No. 03-257 within thirty (30) days of the publication of notice or the receipt of actual notice, whichever is later, in accordance with 21 U.S.C. § 853(n).

3. This notice shall state that a petition of any person, other than Foley and Kirkpatrick, having or claiming a legal interest in the Subject Property, shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Subject Property, shall be signed by the petitioner under penalty of perjury, and shall set forth: (1) the nature and extent of the petitioner's right, title or interest in the Subject Property, (2) any additional facts supporting the petitioner's claim, and (3) the relief sought.

4. The Court will adjudicate all third-party interests.

J.